

### **III. REMARKS**

#### ***Claims Status***

Claims 1-2, 4, 8 and 10-11 are currently under examination on the merits.

#### ***Priority***

The examiner has not heretofore received English language translations of the priority documents. The translation is enclosed herewith, thus perfecting applicant's priority claim of December 2, 2002.

#### ***Claim Rejections - 35 USC § 112 second paragraph***

Claims 1 and 2 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant notes with appreciation the examiner's correct interpretation of the intent of the claims and has amended the claims in accordance with the examiner's interpretation and the intended meaning of the claims.

#### ***Claim Rejections - 35 USC § 103(a)***

Claims 1-2, 4, 8 and 10-11 stand rejected under 35 U.S.C. 103(a) as being obvious over by McSwiggen et al. (US 2005/0153916 A1) in view of Vickers et al. (*The Journal of Biological Chemistry*, 2003, 278:7108-7118).

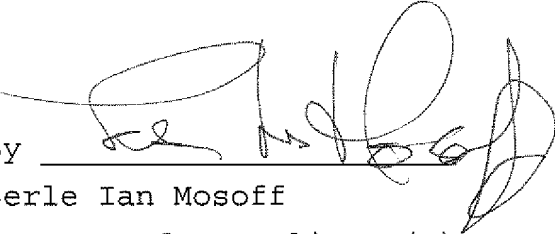
A translation of applicant's foreign priority papers has been

filed herewith. As applicant's priority date is earlier than that of the reference, this rejection is obviated.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By   
Serle Ian Mosoff  
Attorney for Applicant(s)  
Reg. No. 25,900

875 Third Avenue - 18<sup>th</sup> Floor  
New York, New York 10022  
Phone: (212) 808-0700  
Fax: (212) 808-0844